

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WILLIAM A. GROSS CONSTRUCTION ASSOCIATES,
INC.,

Plaintiff,

07-CV-10639(LAK)(AJP)

- against -

AMERICAN MANUFACTURERS MUTUAL
INSURANCE COMPANY,

Defendant.

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AMERICAN MANUFACTURERS MUTUAL
INSURANCE COMPANY,

Third-Party Plaintiff,

STIPULATION EXTENDING
FIFTH-PARTY DEFENDANT
HERITAGE AIR SYSTEMS,
INC.'S TIME TO RESPOND
TO THE FIFTH-PARTY
COMPLAINT

- against -

CAULDWELL WINGATE COMPANY, LLC,

Third-Party Defendant.

----- x
CAULDWELL WINGATE COMPANY, LLC,

Fourth-Party Plaintiff,

- against -

DORMITORY AUTHORITY OF THE STATE OF NEW
YORK,

Fourth-Party Defendant.

----- x

Caption continued on the next page

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DORMITORY AUTHORITY OF THE STATE OF NEW
YORK,

Fifth-Party Plaintiff,

- against-

A. WILLIAMS TRUCKING & BACKHOE
TRENCHING, INC., ASPRO MECHANICAL
CONTRACTORS, INC., BEAUBOIS CANADA, INC.,
BOVIS LEND LEASE LMB, INC., CNA SURETY
CORPORATION D/B/A AMERICAN CASUALTY
COMPANY OF READING, PA, DIERKS HEATING
COMPANY, INC., ENCLOS CORPORATION, FIVE
STAR ELECTRIC CORPORATION, FUTURE TECH
CONSULTANTS OF NEW YORK, INC., HERITAGE
AIR SYSTEMS, INC., HUGH O'KANE ELECTRIC CO.,
LLC, MATERIALS TESTING LAB, INC., PYRAMID
FIRE PROTECTION, INC., RAFAEL VINOLY
ARCHITECTS P.C., SMI-OWEN STEEL COMPANY,
INC., STONEWALL CONTRACTING CORPORATION,
TRACTEL LTD. SWINGSTAGE DIVISION,

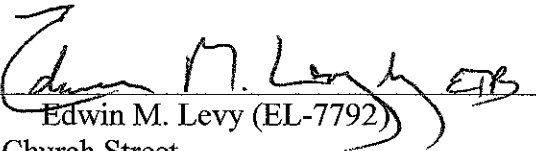
Fifth-Party Defendants.

----- x
IT IS HEREBY SIPULATED AND AGREED by and between Fifth-Party Plaintiff
Dormitory Authority of the State of New York and Fifth-Party Defendant Heritage Air Systems,
Inc., through their undersigned counsel, that Fifth-Party Defendant Heritage Air Systems, Inc.'s
time to answer, move or otherwise respond to the Fifth-Party Complaint is extended to and in-
cluding September 4, 2008.

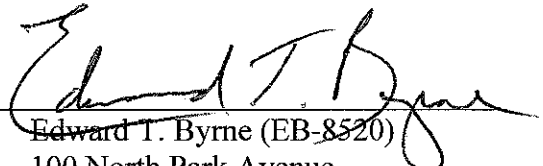
IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be signed in
counterparts and by electronic or facsimile transmission, that such signatures shall be deemed
original signatures, and that same may be filed with the Court.

Dated: August 8, 2008

MICHAEL A. CARDOZO
CORPORATION COUNSEL OF THE
CITY OF NEW YORK

By: 
Edwin M. Levy (EL-7792)
100 Church Street
New York, NY 10007
(212) 788-1185
Attorney for Fifth-Party Plaintiff

MURTAGH, COHEN & BYRNE

By: 
Edward T. Byrne (EB-8520)
100 North Park Avenue
Rockville Centre, NY 11570
(516) 766-3200
Attorneys for Fifth-Party Defendant
Heritage Air Systems, Inc.

SO ORDERED

U.S.M.J.

LAW OFFICES
MURTAGH, COHEN & BYRNE
100 NORTH PARK AVENUE
ROCKVILLE CENTRE, N. Y. 11570

August 8, 2008

EDWARD T. BYRNE *
JOEL B. CUTLER
PAUL J. MURDY **

JOHN E. GRAY
Of Counsel

* N.Y. AND FLA. BAR
** N.Y., N.J. AND CT. BAR

HARVEY COHEN
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FRANCIS X. MURTAGH
(1919-1994)

United States Magistrate Judge Andrew J. Peck
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: **William A. Gross Construction Associates, Inc. v. American Manufacturers
Mutual Insurance Company (Main Party Action)
Dormitory Authority of the State of New York v. Heritage Air Systems, Inc.,
et al. (Fifth Party Action) (07 Civ. 10639(LAK)(AJP)**

Dear Magistrate Judge Peck:

This firm represents Heritage Air Systems, Inc. ("Heritage") in the above referenced Fifth Party Action.

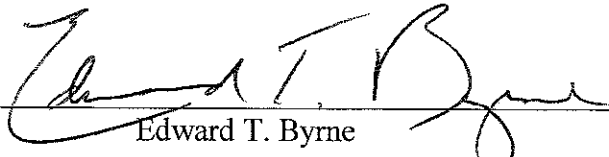
Please find enclosed a Stipulation executed on behalf of Assistant Corporation Counsel Edwin Levy extending the time for Heritage to answer, move to dismiss or otherwise respond to the Fifth Party Complaint until September 4, 2008. Our firm was recently retained and additional time is required to respond to the Fifth Party Complaint.

Accordingly, we are requesting that the Court endorse the attached Stipulation.

Respectfully,

MURTAGH, COHEN & BYRNE

By:


Edward T. Byrne

ETB:jdc
Enclosure